



PTO/SB/08a (10-08)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 6

Complete if Known

Application Number	10/781,505-Conf. #2913
Filing Date	February 18, 2004
First Named Inventor	Rafail Zubok
Art Unit	3733
Examiner Name	J. L. Cumberledge
Attorney Docket Number	SPINE 3.0-455 CIP CONT IV

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-2001/0005796-A1	06-28-2001	Zdeblick et al.	
	AB*	US-2001/0027343-A1	10-04-2001	Keller	
	AC*	US-2002/0035400	03-21-2002	Bryan et al.	
	AD*	US-2002/0082597-A1	06-27-2002	FRASER	
	AE*	US-2002/0082701-A1	06-27-2002	Zdeblick et al.	
	AF*	US-2002/0107571-A1	08-08-2002	Foley	
	AG*	US-2002/0107572-A1	08-08-2002	Foley et al.	
	AH*	US-2002/0123750-A1	09-05-2002	Eisermann et al.	
	AI*	US-2002/0128715-A1	09-12-2002	Bryan et al.	
	AJ*	US-2002/0169508-A1	11-14-2002	Songer et al.	
	AK*	US-2002/0193880-A1	12-19-2002	Fraser	
	AL*	US-20020004683	01-10-2002	Michelson	
	AM*	US-2003/0040796-A1	02-27-2003	Ferree	
	AN*	US-2003/0045939-A1	11-11-2003	Casutt	
	AO*	US-2003/0060886-A1	03-27-2003	Van Hoeck et al.	
	AP*	US-2003/0069586-A1	04-10-2003	Errico et al.	
	AQ*	US-2003/0074064-A1	04-17-2003	Gerbac et al.	
	AR*	US-2003/0100949-A1	05-29-2003	Michelson	
	AS*	US-2003/0120344-A1	06-26-2003	Michelson	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	FR-2 824 261-A1	11-08-2002	Ldr Medical		✓
	BB	FR-2 730159-A1	08-09-1996	Teule Jean Germain		✓
	BC	FR-2 718 635-A1	10-20-1995	Axcyl Medical		✓
	BD	WO-94/04100-A1	03-03-1994	Sofamor et al.		
	BE	WO-01/01893	01-11-2001	Spine Solutions Inc et al.		
	BF	WO-03/084449-A1	10-16-2003	Cool Brace et al.		

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	AT*	US-2003/0135278-A1	07-17-2003	Eckman	
	AU*	US-2003/0167091-A1	09-04-2003	Scharf	
	AV*	US-2003/0167092-A1	09-04-2003	Foley	
	AW*	US-2003/0176921-A1	09-18-2003	Lawson	
	AX*	US-2003/0176922-A1	09-18-2003	Lawson et al.	
	AY*	US-2003/0181982-A1	09-25-2003	Kuslich	
	AZ*	US-2003/0191534-A1	10-09-2003	Viart et al.	
	AA1*	US-2003/0195632-A1	10-16-2003	Foley et al.	
	AB1*	US-2003/0208274-A1	11-06-2003	Davis	
	AC1*	US-2003/0216810-A1	11-20-2003	Ralph et al.	
	AD1*	US-2003/0229358-A1	12-11-2003	Errico et al.	
	AE1*	US-2003/0229397-A1	12-11-2003	Davis	
	AF1*	US-2004/0024462-A1	02-05-2004	Ferree et al.	
	AG1*	US-2004/0034426-A1	02-19-2004	Errico et al.	
	AH1*	US-2004/0117022	06-17-2004	Marnay et al.	
	AI1*	US-2004/0148028	07-29-2004	Ferree et al.	
	AJ1*	US-2004/0215198-A1	10-28-2004	Marnay et al.	
	AK1*	US-2004/0220567-A1	11-04-2004	Eisermann et al.	
	AL1*	US-20040010316-A1	01-15-2004	William et al.	

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BG	WO-91/13598	09-19-1991	Jbs Sa		

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		Number-Kind Code ² (if known)			
	AM1*	US-20040133281-A1	07-08-2004	Khandkar et al.	
	AN1*	US-20040176774	09-09-2004	Zubok et al.	
	AO1*	US-20040176778	09-09-2004	Zubok et al.	
	AP1*	US-20040176843	09-09-2004	Zubok et al.	
	AQ1*	US-4,759,769	07-26-1988	Hedman et al.	
	AR1*	US-4,917,704	04-17-1990	Frey et al.	
	AS1*	US-4,955,908	09-11-1990	Frey et al.	
	AT1*	US-5,002,576	03-26-1991	Fuhrmann et al.	
	AU1*	US-5,370,697	12-06-1994	Baumgartner et al.	
	AV1*	US-5,514,180	05-07-1996	Heggeness et al.	
	AW1*	US-5,534,029	07-09-1996	Shima	
	AX1*	US-5,674,296	10-07-1997	Bryan et al.	
	AY1*	US-5,683,465	11-04-1997	Shinn et al.	
	AZ1*	US-5,782,832	07-21-1998	Larsen et al.	
	AA2*	US-5,865,846	02-02-1999	Bryan et al.	
	AB2*	US-5,888,223	03-30-1999	Bray, Jr.	
	AC2*	US-5,888,226	03-30-1999	Rogozinski	
	AD2*	US-5,893,889	04-13-1999	Harrington	
	AE2*	US-5,895,428	04-20-1999	Berry	

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	AF2*	US-5,916,267	06-29-1999	Tienboon et al.	
	AG2*	US-5,928,284	07-27-1999	Mehdizadeh	
	AH2*	US-5,989,291	11-23-1999	Ralph et al.	
	AI2*	US-6,066,175	05-23-2000	Henderson et al.	
	AJ2*	US-6,096,080	08-01-2000	Nicholson et al.	
	AK2*	US-6,113,602	09-05-2000	Sand	
	AL2*	US-6,113,638	09-05-2000	Williams et al.	
	AM2*	US-6,179,873-B1	01-30-2001	Zientek et al.	
	AN2*	US-6,214,005-B1	04-10-2001	Benzel et al.	
	AO2*	US-6,241,769-B1	06-05-2001	Nicholson et al.	
	AP2*	US-6,395,030-B1	05-28-2002	Songer et al.	
	AQ2*	US-6,395,032-B1	05-28-2002	Gauchet	
	AR2*	US-6,425,920	07-30-2002	Hamada	
	AS2*	US-6,440,168	08-27-2002	Cauthen	
	AT2*	US-6,468,310	10-22-2002	Ralph et al.	
	AU2*	US-6,527,320-B1	03-04-2003	Gregg	
	AV2*	US-6,527,804-B1	03-04-2003	Gauchet et al.	
	AW2*	US-6,562,073-B2	05-13-2003	Foley	
	AX2*	US-6,576,017-B2	06-10-2003	Foley et al.	

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